THE HONOURABLE SHRI JUSTICE R.SUBHASH REDDY

WRIT PETITION No. 15733 OF 2007

Dated 6th October, 2007

Between:

Andhra Pradesh State Road Transport Corporation, Musheerabad, Hyderabad – 500 020, represented by its Executive Director (E&IT).

…Petitioner.

And

Central Power Distribution Company of Andhra Pradesh Ltd., represented by its Managing Director, Singareni Bhavan, Red Hills, Hyderabad – 500 004 and others.

…Respondents.

ORAL ORDER:

In this writ petition, though several reliefs are sought, but, however, learned counsel for the petitioner confines to the relief as to the validity of the notices issued by the respondents for disconnection of power supply.

It is the grievance of the petitioner that though as per Section 56 of the Electricity Act, 2003, there is a requirement of 15 days' clear notice before the disconnection, however, only by giving seven days' notice the respondents are taking action for disconnection.

A reading of Section 56(1) of the Electricity Act, 2003 makes it clear that in case of default in payment of any charge for electricity, the licensee or the generating company is empowered to disconnect the power supply after giving notice of not less that 15 clear days' time. In that view of the matter, it is not open for the respondents to give notice of only seven days and disconnect power supply to the petitioner.

In the above circumstances, the writ petition is dispose of with a direction that in case of any arrears payable by the petitioner, the respondents shall issue notice of disconnection as contemplated under Section 56(1) of the Electricity Act, 2003 and take action accordingly.

Subject to above direction, the writ petition is disposed of. No costs.

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6-10-2007 **R.SUBHASH REDDY, J.**

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